IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Michael J. Wissner *et al.*
Application No.:	10/081,525
Filing Date:	February 21, 2002
Title:	Scalable Database Management System
Examiner:	Luke S. Wassum
Group Art Unit:	2167
Atty. Dkt. No.:	16319-05906

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
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DECLARATION OF FACT BY JAMES C. SALEM UNDER 37 C.F.R. § 1.132

I, James Salem, hereby declare the following:

1. I am a co-inventor of U.S. Patent Application Serial No. 10/081,525, filed on February 21, 2002, and titled "Scalable Database Management System".

2. I have reviewed a copy of the Office Action mailed on May 5, 2005 in the above-identified case. In the Office Action, the Examiner cites a number of references to support his assumption that the features claimed in the present application were in public use or on sale at least as early as 11 December 2000 as part of the Intuit QuickBase products. The references cited included Vaidya, BusinessWire, Hogan, Wildstrom, Muse and Intuit, which I have also reviewed.

4. The Vaidya, BusinessWire, Hogan, and Wildstrom references describe the initial release of Intuit's QuickBase product on December 11, 2000. The Muse reference describes the

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release in April, 2002 of QuickBase for Corporate Workgroups, and notes that QuickBase was initially launched two years prior.

7. The subject matter of claims 1-42 was not part of the version of the QuickBase product released on December 11, 2000 as described in the cited references.
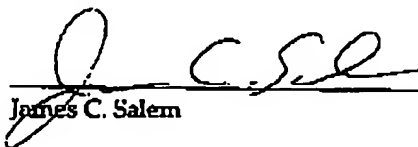
8. On or about December 20, 2001 I prepared a slide presentation entitled "QuickBase Multi-Process System Architecture," attached as Exhibit A. The presentation was marked "Copyright 2002, Intuit Corporation – Proprietary and Confidential," and was intended to be seen initially only by Intuit employees.

9. The slide presentation describes a multi-process system architecture that could be used, and in fact was subsequently used, in the QuickBase product.

10. The architecture and processes described in the slide presentation formed at least part of the basis for the patent application now pending. For example, slide 5 of the slide presentation illustrates an embodiment of claim 1 of the pending application. Neither slide 5 nor, as stated earlier, claim 1 describes the version of the QuickBase product described by the references cited by the Examiner or on sale before February 21, 2001.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11/7/05

James C. Salem